

## BY-LAW NO. 20XX-XXX

A by-law of the City of Ottawa to establish and implement an Administrative Monetary Penalty System (APS) for contraventions detected using red-light cameras and automated speed enforcement cameras and, within the City of Ottawa.

WHEREAS section 11 of the *Municipal Act, R.S.O 2001, c.25*, authorizes municipalities to enact by-laws respecting matters within the sphere of jurisdiction of highways, including traffic on highways, in conjunction with the *Highway Traffic Act*; and

Whereas section 128 of the *Highway Traffic Act, R.S.O. 1990, c.H.8* as amended, establishes that the Council of a municipality may, for motor vehicles driven on a highway or portion of a highway under its jurisdiction, by by-law prescribe a rate of speed that is not greater than 100 kilometers per hour and may prescribe different rates of speed for different times of day; and

Whereas section 128 of the Highway Traffic Act R.S.O. 1998, c.6 as amended, authorizes the council of a municipality to pass a by-law designating a portion of a highway under its jurisdiction that adjoins the entrance to or exit from a school and that is within 150 metres along the highway in either direction beyond the limits of the land used for the purposes of the school and for motor vehicles driven, on days on which school is regularly held, on the portion of a highway so designated, prescribe a rate of speed that is lower than the rate of speed for that portion of highway, and prescribe the time or times at which the speed limit is effective;

Whereas Section 214 of the Highway Traffic Act R.S.O. 1998, c.6 as amended, establishes that the council of a municipality may by by-law designate a part of a highway under its jurisdiction as a community safety zone if, in the council's opinion, public safety is of special concern on that part of the highway;

Whereas Section 144(18) of the HTA requires drivers to comply with redlight traffic signals and Reg. 355/22, as amended, and authorizes penalty orders to be imposed for contraventions of subsection 144(18) where the evidence is obtained through the use of a red light camera system under Part X1V.2 of the HTA.

Whereas section 21.1 of the HTA and O. Reg. 355/22, as amended, authorizes municipalities to establish an administrative penalty system for vehicle based contraventions detected using red-light cameras and automated speed enforcement cameras to promote compliance with the HTA and its Regulations, and impose penalty orders, including for the vehicle-based contraventions captured by the Automated Speed Enforcement System under Part XIV.1 of the HTA and Red Light Camera enforcement system under Part XIV.2 of the HTA

Whereas the Council for the City considers it desirable and necessary to provide for a system of administrative penalties and administrative fees for the designated section of the HTA, by-laws or designated City by-law to assist with the promoting the compliance of its speed limits, community safety zones, school zones and red light traffic control signals;

Whereas sections 23.2, 23.3 and 23.5 of the Municipal Act authorize the City to delegate its administrative and hearing powers; and

Whereas section 391 of the Municipal Act, 2001 authorizes the City to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; and

NOW THEREFORE the Council of the City of Ottawa enacts as follows:

## **1. Definitions**

1.1. For the purposes of this By-Law:

“Administrative Fees” means any fee specified in this By-law, as amended or set out in the HTA O. Reg 355/22;

“Administrative Penalty” means the monetary penalty amount set out in this By-law for vehicle based contraventions captured by camera systems, determined in accordance with section 6 in the HTA O. Reg. 355/22;

“By-Law” means this by-law and any schedule to this by-law as they may be amended from time to time;

“City” means the City of Ottawa;

“City Clerk” means the City Clerk for the City of Ottawa;

“Council” means the City of Ottawa’s Council;

“Designated Section” means a designated section or portions of sections of the HTA to which the system of administrative penalties in this By-law applies and as further described in the attached Schedule A;

“Director, By-Law and Regulatory Services” means the Director, By-Law and Regulatory Services, or in their absence, the duly appointed designate, or in the event of organizational changes or otherwise, the director of the appropriately titled department assigned duties under this bylaw or designate;

“Director, ServiceOttawa” means the Director, ServiceOttawa, or in their absence, the duly appointed designate, or in the event of organizational changes or otherwise, the director of the appropriately titled department assigned duties under this bylaw or designate;

“Fee” means a fee set out and described in Schedule “B”, referred to collectively as “administrative fees” or individually by the name of the fee in Schedule “B”.

“Head of Council” means the Mayor of the City of Ottawa;

“Hearing Officer” means any person designated from time to time in accordance with the Appointments By-law to perform the functions of a Hearing Officer pursuant to this By-Law;

“Municipality” means the geographic area under the jurisdiction of the City;

“Enforcement Officer” means a municipal law enforcement officer appointed as such by or under the authority of a City by-law a police officer employed by a municipal police force;

“Highway Traffic Act” or “HTA” or “the Act” means the Ontario *Highway Traffic Act*, R.S.O., c.H.8., as amended.

“Penalty Order” means a notice given pursuant to section 2.1 in accordance with subsection 21.1(2) of the HTA;

“Penalty Order Date” means the date specified on the Penalty Order identifying the date of issuance pursuant to section 2.4

“Penalty Order Number” means the number specified on the Penalty Order pursuant to section 2.3;

“Person” includes an individual, partnership, association, firm or corporation;

“Recipient” means the vehicle owner and/or a person who receives the Penalty Order associated with a vehicle-based contraventions captured by the Automated Speed Enforcement System under Part XIV.1 of the Act and Red Light Camera enforcement system under Part XIV.2 of the Act;

“Screening Decision” means a decision made by a Screening Officer pursuant to sections 3.14;

“Screening Decision Date” means the date on which a Screening Decision is made pursuant to sections 3.14

“Screening Officer” means any person designated from time to time in accordance with the Appointments By-law to perform the functions of a Screening Officer pursuant to this By-law;

“Vehicle Owner” means the person whose name appears on the permit for the vehicle; and if the vehicle permit consists of a vehicle portion and plate portion, and different persons are named on each portion, the person whose name appears on the plate portion at the time of the contravention.

## **1.1 Application**

1.1 This By-law applies to those contraventions included in HTA Regulation 355/22, to impose administrative penalties for contraventions detected using camera systems.

1.2 The Administrative Penalties designated in Schedule “A”, attached hereto and forming part of this By-law, may be dealt with by Penalty Order and the Administrative Monetary Penalty System.

## **2. Penalty Order**

2.1. An Enforcement Officer who has reason to believe that a person has contravened a designated section or portions of the HTA and Regulation 355/22 associated with vehicle-based contraventions captured by the Automated Speed Enforcement System under Part XIV.1 of the Act and Red Light Camera enforcement system under Part XIV.2 of the Act, may impose a Penalty Order in accordance with this By-law on the owner of the vehicle.

2.3 The Penalty Order shall include the following information:

a. the date of issuance of the Penalty Order;

b. the Penalty Order number;

c. the vehicle license plate number;

d. particulars of the contravention, including the date and location of the contravention;

e. the amount of the Administrative Penalty as described in Section 6 of O.Reg. 355/22 and this By-law;

f. a copy of a photograph or image of the motor vehicle that is involved in the contravention;

g. information respecting the process by which the recipient may pay the administrative penalty or request a review of the administrative penalty; and

h. a statement advising that the Administrative Penalty will constitute a debt of the vehicle owner to the City.

2.4 An Enforcement Officer shall include statements that are certified to be true in respect of the contravention or the service of the Penalty Order.

2.5 Service of a Penalty Order in any of the following ways is deemed effective:

a) A penalty order may be served on the person who is subject to the order by sending the order by mail or by courier to the most recent address that appears on the Ministry of Transportation records in respect of the holder of the plate portion of the permit for the motor vehicle involved in the contravention.

b) If the authorized person who imposed the penalty order believes that the person who is subject to the order resides outside Ontario or, in the case of a corporation, has its principal place of business outside Ontario, the penalty order may be served on the person by sending the order by mail or by courier to the address outside Ontario at which the authorized person believes the person resides or has its principal place of business.

c) The address mentioned in subsection (b) may be determined from a document obtained from the government of any province or territory of Canada or from the government of a state of the United States of America, or from a person or entity authorized by any such government to keep records of vehicle permits, number plates or other evidence of vehicle ownership in that jurisdiction.

d) Service of a penalty order mailed or couriered in accordance with this section is deemed to be served on the seventh (7th) day following the day on which it was mailed or couriered.

2.6 For purposes of this By-law, the last known address of the Owner shall be the address as set out on the vehicle ownership or, where an updated address has been provided in writing by the Owner to the Enforcement Services offices of the City at the time of service, such updated address.

2.7 Any Penalty Order or document sent in writing to the Owner by regular mail, as set out in this By-law, is deemed to have been served on the seventh calendar day after the date of mailing.

2.8 Service of any document or notice (other than a Penalty Order) on an authorized representative of the Owner shall be deemed service on the Owner.

2.9 The amount due for a Penalty Order is:

(a) the Set Penalty Amount as set out in Schedule "A" for the related contravention and prescribed in O.Reg. 355/22 ; or

(b) the Late Payment Fee set out in Schedule "A" for the related contravention if payment is received by the City on and after forty five (45) calendar days from the date of service of the Penalty Order in accordance with this By-law.

2.10 The Recipient of a Penalty Order may request that the Administrative Penalty be reviewed by a Screening Officer pursuant to section 3.

2.11 Where an administrative penalty is either partially or fully paid, any right under this chapter to request a review, an extension of time to request a review, or to request an extension of time to pay is automatically waived.

2.12 Neither a Screening Officer nor a Hearing Officer has jurisdiction to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.

2.13 The Director, By-Law and Regulatory Services may cancel the Administrative Penalty at any time prior to a review by a Screening Officer.

### **3. Review by Screening Officer**

3.1. The Recipient of a Penalty Order may request that the administrative penalty be reviewed by a Screening Officer by making such request within thirty (30) calendar days after the date on which service of the Penalty Order is deemed effective as described in 2.5(d).

3.2 If a Recipient has not requested a review of an administrative penalty by a Screening Officer within thirty (30) calendar days after the date of service, a Recipient may, within 45 calendar days after the date on which the service of the Penalty Order is deemed effective, request that the screening officer extend the time to request a review by a screening officer.

3.3 The right to request a review of an administrative penalty by a screening officer or to request an extension of time to request a review of an administrative penalty by a screening officer are exercised in writing by:

(1) electronically submitting, in the method specified on the form, a fully completed form; or

(2) attending in person or by an authorized representative at the location listed in the Penalty Order and submitting a fully completed form.

3.4 In the case of a request to review an administrative penalty by a screening officer, the request shall include particulars of all grounds upon which the request to review is based, and in the case of a request to extend the time to request a review, the request shall include the reasons, if any, for having failed to exercise the right to request a review within the time limited by section. Screening reviews will be conducted in writing unless there is a requirement on a case-by-case basis, as determined by the Screening Officer, to provide the screening review through other means.

3.5. Where no request for an extension of time to request a review by a screening officer is filed within 45 calendar days after the Penalty Order date of service, the right to request an extension of time expires and:

a. the right to request a review by a screening officer shall be deemed to have been waived by all recipients;

b. the Administrative Penalty, including all Administrative Fees, shall be deemed to be affirmed on the 31<sup>st</sup> calendar day after the Penalty Order service date; and

c. the Administrative Penalty, including any Administrative Fees, shall not be subject to any further review or appeal.

3.6 If a request for a screening review is not received by the City within the timelines of section 3.1, a notice will be served on the vehicle owner informing them of the amount of the administrative penalty now owing.

3.7 The Screening Officer may only extend the time to request a review of an Administrative Penalty by a Screening Officer where a recipient demonstrates, on a balance of probabilities, the existence of extenuating circumstances that warrant the extension of time.

3.8 The Screening Officer may, where exceptional circumstances have been established on a balance of probabilities, extend the time to request a review subsequent to the passing of the timeline in section 3.2

3.9 For the purposes of Section 3.8, exceptional circumstances means severe circumstances of extended durations that would significantly or materially impact an individual's ability to exercise procedural rights established under this by-law.

3.10 Where an extension of time to request a review of an administrative penalty is not granted by the screening officer, the administrative penalty is deemed affirmed.

3.11 A vehicle owner may, up to one time only, request a rescheduling of the screening review if scheduled to be in person by filing with the City a request for adjournment in the form and manner established by the Director, Service Ottawa, no later than 4:00 p.m. on the day 2 business days in advance of the date set for the review by the screening officer.

3.12 The Screening Officer may request such information from the Recipient or other individual as the Screening Officer considers relevant and may rely upon the information provided for the purposes of the screening review.

3.13 The Screening Officer may request, consider and rely on the information from an Enforcement Officer, other City/Agency staff, or staff of the Ottawa Police Service, as the Screening Officer deems relevant, including but not limited to: statements, documents, photographs, any other written document prepared by an enforcement officer, other City/Agency staff, or the staff of the Ottawa Police Services.

3.14 After a review has been completed by a screening officer, the screening officer shall make a screening decision in writing and serve it on the Recipient in accordance with section 3.15.

3.15 On a review of the administrative penalty, a screening officer may:

- (1) Affirm the administrative penalty, administrative fees, or both;
- (2) Cancel the administrative penalty, including administrative fees, if the recipient establishes on a balance of probabilities that a contravention of section 128 or 144(18) of the *Highway Traffic Act, 1990*, was not proven as set out in the Penalty Order;
- (3) Cancel the administrative penalty, administrative fees, or both, if the recipient establishes on the balance of probabilities the existence of undue hardship;
- (4) Vary the administrative penalty, administrative fees, or both if the recipient establishes on a balance of probabilities the existence of undue hardship;
- (5) Extend the time for payment or establish a payment plan for the administrative penalty, administrative fees, or both if the recipient establishes on a balance of probabilities:
  - a. The existence of undue hardship; and
  - b. The extension of time to pay is necessary to relieve the undue hardship established.

3.16 Where a recipient fails to attend at the time and place scheduled for an in-person review by a screening officer:

- (1) All recipients shall be deemed to have abandoned the request for a review of the administrative penalty;



- (2) The administrative penalty as set out in the Penalty Order shall be deemed to be affirmed on the 30th day after the Penalty Order service date and is not subject to any further review or appeal; and
- (3) The vehicle owner shall pay to the City a screening non-appearance fee in the amount set out in Schedule B.

3.17 The screening officer remains responsible for matters surrounding the administrative penalty until such time as a recipient requests, in accordance with Section 4, a review of a screening decision by a hearing officer or until such time as a recipient requests that a hearing officer extend the time to request a review of a screening decision.

3.18. The Recipient of the Screening Decision may request a review of the decision of the Screening Officer by a Hearing Officer pursuant to section 4.

#### **4. Request for Review by Hearing Officer**

4.1 Where an administrative penalty has not been cancelled, a recipient of a screening decision may request a review by a hearing officer of the screening decision within 30 days after the issuance date of the decision of the screening officer.

4.2 If a request for a review of a screening decision has not been filed within 30 calendar days of the screening decision issuance date, a recipient may, within 45 calendar days of the screening decision issuance date, request that the hearing officer extend the time to request a review.

4.3 The right to request a review of screening decision or to request an extension of time to request a review of the screening decision by a Hearing Officer are exercised in writing by:

- (1) electronically submitting, in the method specified on the form, a fully completed form; or
- (2) attending in person or by an authorized representative at the location listed in the Penalty Order, and submitting a fully completed form.

4.4 In the case of a request to review the screening decision, the request shall include particulars of all grounds upon which the request to review is based, and in the case of a request to extend the time to request a review, the request shall include the reasons, if any, for having failed to exercise the right to request to review the screening decision within the time limited by section 4.1. Hearing reviews will be conducted in person unless there is a requirement on a case-by-case basis, as determined by the Hearing Officer, to provide the hearing review through other means.

4.5 The right to request an extension of time in section 4.2 expires if not exercised within 45 calendar days of the screening decision issuance date, at which time:

- (1) All recipients shall be deemed to have waived the right to request a review;
- (2) The screening decision and the administrative penalty included in the screening decision, including any administrative fees, shall be deemed to be affirmed on the screening decision issuance date; and
- (3) The screening decision and the administrative penalty, including any administrative fees, shall not be subject to any further review or appeals.

4.6 The hearing officer may only extend the time to request a review of a screening decision where the recipient demonstrates on a balance of probabilities the existence of extenuating circumstances that warrant the extension of time.

4.7 Where an extension of time to request a review of a screening decision is not granted by the hearing officer, the screening decision shall be deemed to be a screening decision subject to disposition in accordance with section 4.5.

4.8 Except in the case of the request for review by the Hearing Officer being deemed abandoned, a hearing officer shall not make any decision respecting a review of a screening decision unless the hearing officer has given a recipient of the screening decision and the City notice of the hearing, an opportunity to be heard at the time and place scheduled for the hearing of the review or, having given this opportunity to be heard, the parties have consented to a disposition of some or all issues respecting a screening decision without a hearing.

4.9 A recipient may, up to one time only, request a rescheduling of the hearing review that is scheduled to be in person, by filing with the City a request for adjournment by filing with the City the applicable form.

4.10 A recipient may cancel the hearing review by paying to the City the administrative penalty and all administrative fees in full prior to the hearing review.

4.11 On a review of a screening decision, the hearing officer may:

- (1) affirm the screening decision;
- (2) cancel the administrative penalty, including administrative fees, if the recipient establishes on a balance of probabilities that a contravention of section 128 or 144(18) of the *Highway Traffic Act, 1990*, was not proven as set out in the Penalty Order;
- (3) vary the screening decision by:
  - (a) cancelling the administrative penalty, administrative fees, or both if the recipient establishes on the balance of probabilities the existence of undue hardship;
  - (b) varying the administrative penalty, administrative fees, or both if the recipient establishes on the balance of probabilities the existence of undue hardship;

(C) extending the time for payment or establish a payment plan for the administrative penalty, administrative fees, or both if the recipient establishes on the balance of probabilities:

[1] the existence of undue hardship; and

[2] that the extension of time to pay is necessary to relieve the undue hardship established.

4.12 All reviews conducted by the hearing officer shall be in accordance with the Statutory Powers Procedure Act, as amended.

4.13 The hearing officer may request such information from a person as the hearing officer considers relevant.

4.14 The Hearing Officer may request, consider and rely on the information from an Enforcement Officer, other City/Agency staff, or staff of the Ottawa Police Service, as the Screening Officer deems relevant, including but not limited to; statements, documents, photographs, any other written document prepared by an enforcement officer, other City/Agency staff, or the staff of the Ottawa Police Services. The materials referred to in this section are admissible as evidence as proof of the facts contained in them, in the absence of evidence to the contrary.

4.15 The hearing officer shall not adjourn the hearing review for the purpose of having an individual attend to give evidence unless the hearing officer is satisfied that the oral evidence of the individual is necessary.

4.16 Any decision by a hearing officer is final.

4.17 After a hearing has been held by a hearing officer, the hearing officer shall make a hearing decision and serve the decision in writing upon a recipient.

4.18 Where a recipient fails to attend at the time and place scheduled for a review by the hearing officer:

(1) All recipients shall be deemed to have abandoned the request for a review of the screening decision and have consented to a disposition of the amount owing under the screening decision without a hearing by the hearing officer;

(2) The screening decision and the administrative penalty shall be deemed to be final and are not subject to any further review or appeal;

(3) The administrative penalty is deemed to be affirmed on the screening decision issuance date; and

(4) The vehicle owner shall, pay to the City a hearing non-appearance fee in the amount set out in Schedule B.

4.19 Where an administrative penalty is deemed to be affirmed under section 4.18, the hearing officer shall affirm the screening decision. A hearing decision affirming the

screening decision and establishing the liability to pay to the City a hearing non-appearance fee shall be made in writing and served upon the vehicle owner.

4.20. The decision of a Hearing Officer is final and not subject to review including review by any Court.

## **5. Notice**

5.1. Service of any document or notice this By-law, may be given in writing in any of the following ways and is deemed to be effective:

- a. for a Penalty Order, as described in section 2.5
- b. upon delivering the notice or document or a copy to the Person to whom it is addressed;
- c. on the seventh (7th) day following the day on which it is sent by regular lettermail to the Person's last known address;
- d. upon the sending of the notice or document or a copy thereof by e-mail transmission to the Person's last known e-mail address.

5.2. For the purpose of section 5.1, a Person's last known address, and last known e-mail address are deemed to include those provided by the Person pursuant to sections 3.4 and 4.4.

5.3 Service on a recipient, including service on any person to whom a screening decision or hearing decision is handed, shall be deemed to be service on the vehicle owner.

5.4. Any notice or document respecting this By-law to be given to the City shall be in writing, shall be given in any of the following ways, and is deemed effective:

- a. when sent through the online public Administrative Penalties web portal, through Ottawa.ca; or
- b. when provided to a City of Ottawa agent at a designated City of Ottawa Client Services Centre during business hours, as listed on Ottawa.ca.

## **6. Financial Administration**

6.1 No Officer who gives a Penalty Order may accept payment of the Administrative Penalty respecting that Penalty Order.

6.2 An Administrative Penalty that is affirmed or reduced or in respect of which the time for payment has been extended pursuant to this By-law is due and payable and constitutes a debt to the City of each Person to whom or to which the Penalty Order was given.

6.3 Where a Person has paid an Administrative Penalty or an administrative fee that is then cancelled or reduced pursuant to this By-law, the City shall refund the amount cancelled or reduced.

6.4 Where a Person has paid any amount towards an Administrative Penalty at any time, no further screening or hearing review requests will be accepted.

6.5 Where an Administrative Penalty or any administrative fees respecting that Administrative Penalty are not paid within forty five (45) days after the date that they become due and payable to the City, the vehicle owner shall pay to the City an additional Fee - Late Payment in the amounts set out in Schedule B.

6.6 The vehicle owner shall pay to the City the applicable vehicle owner/address search fee in the amount set out in Schedule B, which forms part of the Administrative Penalty.

6.7 Where an administrative penalty is not paid after it becomes due and payable to the City, the City may notify the Registrar of Motor Vehicles in the jurisdiction where the permit (vehicle licence plate) is registered of the default and the vehicle owner shall pay to the City a plate denial enforcement fee in the amount set out in Schedule B. In such instances, the Registrar shall not validate the permit nor issue a new permit for the vehicle to which the administrative penalty and administrative fees related, until such time as the administrative penalty and administrative fees are paid.

6.8 Where a payment is received and there are insufficient funds available or the payment is otherwise declined, the administrative penalty and administrative fees are deemed not to have been paid and the recipient shall pay to the City a non-sufficient fund ( NSF) fee in the amount set out in Schedule B.

6.7 Where an administrative penalty is cancelled by a screening officer or hearing officer, any associated administrative fee is also cancelled.

6.8 If a person has paid any administrative fee in Schedule B in respect of an administrative penalty and the administrative penalty is subsequently cancelled by a screening officer or a hearing officer, the City shall refund the administrative fee paid in full to the person who paid the administrative fee.

10.9 Where a refund of a payment is made under this By-law for any reason, the refunded amount shall be paid to the person who initially made that payment.

## **8. General**

8.1 Where a period of time is prescribed in this By-law, a reference to a number of days between two events excludes the day on which the first event happens and includes the day on which the second event happens. If the last day of the period of time falls on a day that is a statutory holiday, the period ends on the next day that is not a statutory holiday.

8.2 The Director, ServiceOttawa, is authorized to establish forms for the purposes of this By-law and the implementation of the administrative monetary penalties system.

8.3 The Director, ServiceOttawa may appoint as Screening Officers, on such terms as the Director, ServiceOttawa consider appropriate and as further described in Appointments By-law.

8.4 The General Manager, Finance and Corporate Services, the Director, Service Ottawa, and the City Clerk, may recommend the appointment of Hearing Officers to Council for approval, as they consider appropriate and as further described in the Appointments By-law.

8.5 Nothing in this By-law limits the City's right to enforce a Designated By-law by any other legal means or to use any other process of enforcement available under law.

8.6 The short title of this By-law is the "Administrative Penalty Process By-law for contraventions detected using camera systems".

ENACTED AND PASSED this    day of            ,

CITY CLERK

MAYOR

## Schedule "A"

### Designated By-Laws

1. City of Ottawa By-Law Number 2019-397 as amended, being "A By-law to establish community safety zones"

### Designation Legislative Sections

**Contravention of section 128(1) HTA - Administrative Penalty Amounts for Automated Speed Enforcement (Regulation 355/22)**

**Contravention of section 144(18) – Administrative Penalty Amounts for red-light camera (Regulation 355/22)**

### Amount

6. (1) The amount of the administrative penalty shall be the sum of the following amounts:

1. In respect of a contravention of subsection 128 (1) of the Act, the amount determined in accordance with the following formula,

$$A \times B$$

in which,

"A" is the number of kilometres per hour by which the person driving the motor vehicle exceeds the speed limit set out in subsection 128 (1) of the Act, and

"B" is the penalty rate set out in Column 2 of Table 1 that is opposite the value of "A" described in Column 1 of Table 1.

2. In respect of a contravention of subsection 144 (18) of the Act,

- i. \$260, if the contravention did not occur in a community safety zone, or
- ii. \$400, if the contravention occurred in a community safety zone.

3. In respect of a contravention of subsection 166 (1) of the Act,

- i. \$85, if the contravention did not occur in a community safety zone, or
- ii. \$150, if the contravention occurred in a community safety zone.

4. In respect of a contravention of subsection 175 (11.1) or (12.1) of the Act, \$400.

5. \$8.25, to reflect costs incurred by the authorized person to access the name and most recent address of the person who is subject to the penalty order.

6. The amount determined under subsections (2) to (5) as applicable, to be credited to the victims' justice fund account in accordance with section 19.

(2) For a contravention of subsection 128 (1) of the Act, the amount mentioned in paragraph 6 of subsection (1) is,

(a) if the amount determined under paragraph 1 of subsection (1) is \$1000 or less, the amount set out in Column 2 of Table 2 that is opposite the amount determined under paragraph 1 of subsection (1) described in Column 1 of Table 2; or

(b) if the amount determined under paragraph 1 of subsection (1) is greater than \$1000, the amount that is 25 per cent of that amount.

(3) For a contravention of subsection 144 (18) of the Act, the amount mentioned in paragraph 6 of subsection (1) is,

(a) \$60, if the contravention did not occur in a community safety zone; or

(b) \$85, if the contravention occurred in a community safety zone.

(4) For a contravention of subsection 166 (1) of the Act, the amount mentioned in paragraph 6 of subsection (1) is,

(a) \$20, if the contravention did not occur in a community safety zone; or

(b) \$25, if the contravention occurred in a community safety zone.

(5) For a contravention of subsection 175 (11.1) or (12.1) of the Act, the amount mentioned in paragraph 6 of subsection (1) is \$85.

#### Penalty Rate

Item	Kilometres per hour over the maximum speed limit	Penalty rate in community safety zone or school zone
1.	1 to 19 kilometres per hour over the maximum speed limit	\$5.00 per kilometre
2.	20 to 29 kilometres per hour over the maximum speed limit	\$7.50 per kilometre
3.	30 to 49 kilometres per hour over the maximum speed limit	\$12.00 per kilometre



4.	50 kilometres per hour or more over the maximum speed limit	\$19.50 per kilometre
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#### Victim's Justice Fund Fee Rate

Item	Amount of the Penalty	Victim's Justice Fund Fee
1.	\$0 - \$50	\$10
2.	\$51 - \$75	\$15
3.	\$76 - \$100	\$20
4.	\$101 - \$150	\$25
5.	\$151 - \$200	\$35
6.	\$201 - \$250	\$50
7.	\$251 - \$300	\$60
8.	\$301 - \$350	\$75
9.	\$351 - \$400	\$85
10.	\$401 - \$450	\$95
11.	\$451 - \$500	\$110
12.	\$501 - \$1000	\$125

#### RLC

#### Penalty Rate

Item	Contravention Location	Penalty Rate
1.	If the contravention did not occur in a community safety zone	\$260
2.	If the contravention occurred in a community safety zone	\$400

### Victim's Justice Fund Fee Rate

Item	Contravention Location	Victim's Justice Fund Fee
1.	If the contravention did not occur in a community safety zone	\$60
2.	If the contravention occurred in a community safety zone	\$85

## Schedule "B"

### Administrative Penalty System By-Law Administrative Fees

The tables below list the Administrative Fees as defined in Section 1.0 of this By-law.

<b>Fee</b>	<b>Description</b>	<b>Amount</b>
Vehicle Owner/ Address Search Fee	A fee to search of the records of the Ontario Ministry of Transportation	\$8.25
Screening Non- appearance Fee	Failure to appear at the time and place scheduled for a screening review.	\$60.00
Hearing Non- Appearance Fee	Failure to appear at the time and place scheduled for a hearing review.	\$60.00
Late Payment Fee	Failure to pay an administrative penalty within the prescribed time.	\$20.00
Plate Denial Enforcement Fee (Municipal Component)	Fee associated with sending a defaulted administrative penalty to MTO for plate enforcement	\$20

### General Fees

<b>Description</b>	<b>Amount</b>
Non-sufficient fund (NSF)	\$35.00
Photocopy fee/Screen print fee (per page)	\$2.00/page

Note: Fees listed in Schedule "B" to this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable

